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(FORM UPPATED: 08/11/2010

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Transportation, Tourism, Forestry, and Natural Resources (SC-TTFNR)

COMMITTEE NOTICES ...

- Committee Reports ... CR
- Executive Sessions ... ES
- Public Hearings ... PH

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... Appt (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... CRule (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)

 (ab = Assembly Bill) (ar = Assembly Resolution) (afr = Assembly Joint Resolution)

 (sb = Senate Bill) (sr = Senate Resolution) (sfr = Senate Joint Resolution)
- Miscellaneous ... Misc

Senate

Record of Committee Proceedings

Committee on Transportation, Tourism, Forestry, and Natural Resources

Senate Bill 537

Relating to: the issuance of temporary alcohol beverages licenses to nonprofit organizations authorizing the sale of beer or wine at fund-raising events.

By Senators Robson, Taylor and Grothman; cosponsored by Representatives Benedict, Sinicki, A. Williams and Gottlieb.

February 16, 2010

Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

March 10, 2010

PUBLIC HEARING HELD

(5)

Present:

Senators Holperin, Sullivan, Leibham, Kedzie and Grothman.

Absent:

(2) Senators Plale and Hansen.

Appearances For

- Judy Robson 15th Senate District
- Ruth Carlson Angel Musuem
- Deb Frederickson Visit Beloit
- Randall Upton Greater Beloit Chamber of Commerce
- Marechiel Santas-Lang Oregon Area Chamber of Commerce
- Ron Nief Beloit Arts
- Rod Beaudoin Beloit Film Fest

Appearances Against

None.

Appearances for Information Only

None.

Registrations For

- Jason Johns Oregon Chamber, Board of Directors
- James Heidt Beloit Noon Lions Club

Registrations Against

- Pete Hanson, Madison Wisconsin Restaurants Association
- Kathi Kilgore WI Innkeepers Association
- Mindy Walker Tavern League of Wisconsin

Registrations for Information Only

• None.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.

Elizabeth Novak Committee Clerk



WISCONSIN STATE LEGISLATURE





Promote. Inform. Connect. Advocate

SUPPORT OF SENATE BILL 537 March 9, 2010

Wisconsin Non-Profit entities, like our organization, the Oregon Area Chamber of Commerce that wish to serve beer or wine at fundraising or networking events are subject to restrictions and regulations set forth in Section 125 of the Wisconsin State Statutes.

We are a business association of about 200 members with a mission to advance and promote the commercial, industrial, agricultural, educational & civic interests of the Oregon community and surrounding areas in order to enhance the high quality of life. Our four core values include promoting local businesses, providing information to & about members, providing connections with another business, and advocating for the general interests of our membership.

Fifty percent of our gross revenue come from fundraising efforts and the other half from member dues. Our ability to meet or implement fundraising events successfully allow us to continue to do our work in the community in which we serve.

Over ninety percent of our membership compose of small & family-owned business owners. These entrepreneurs serve as the backbone of our local economy. Networking opportunities among these entrepreneurs help pave the way for a robust exchange of information with one another that leads to patronage and increased local sales.

In addition to organizing major fundraisers like a Summer Fest Festival and golf outing, we hold annual awards dinner recognizing outstanding business achievement, "After-5 or Before-5 Business mixers, a Business Exposition, and if it's election year, organize a Candidates' Forum to allow members get the opportunity to meet and ask candidates to help them make informed political decisions. The limit of two wine licenses a year makes it impractical for us to carry out meaningful and engaging events for our members in a community like ours with limited venues, and inhibit options for members willing to host these events.

The Oregon Area Chamber of Commerce support the Exemption to allow nonprofit organizations to obtain a temporary license to serve beer or wine at a fund-raising event on premises where other business is conducted. We also support to increase the number of temporary wine licenses per year to five.

The intent of our member events are based on our four core values: Promote, Inform, Connect & Advocate. These events are not to profit from the sale of alcohol or to compete with other Class A or Class B license holders but to enhance relationships with one another. Or for public events that we initiate, the goal is to raise enough funds to support the continuous existence of a chamber of commerce that benefit the greater good of our town, Oregon and surrounding areas.

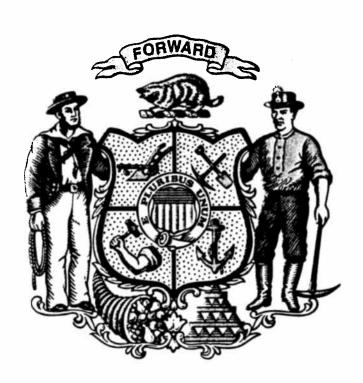
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(Sgd.) MARECHIEL SANTOS-LANG Executive Director

(Sgd.) STEVE PEOTTER President

Han R Patte

733 North Main Street • PO Box 123 • Oregon, WI 53575 • Phone: 608-835-3697 E-mail: director@oregonwi.com • Website: www.oregonwi.com



BELOIT NOON LIONS



March 10, 2010

TO: State Senator Judy Robson

State Representative Benedict

RE: 2009 Senate Bill 537

Dear Senator Robson and Representative Benedict:

I am writing in support of Senate Bill 537 which would allow nonprofit organizations to obtain a temporary permit to serve beer and wine at their fundraising functions five (5) times per year for a nominal fee. The functions could be held in any premises for which the nonprofit organization applies for.

The Beloit Noon Lions Club has been in existence for over 87 years and has, during that time, held two annual fundraisers to raise club operating funds and generate membership. These twice annual Steak Fry events were the major fundraisers for club operating funds, since our By-Laws require that monies raised from the public at large can only be used for charitable works, not club operations. The sale of beer, wine and liquor at the Steak Fry is a major component of the monies raised. However, in the last two years this has changed due to enforcement of the law that this Senate Bill 537 is designed to correct. While we are in favor of Senate Bill 537, in our opinion it does not go far enough, in that it limits the alcohol sales to beer and wine and does not include liquor.

Over the 87 year history of our club, we have generated over \$1.5 million dollars to support our charitable ventures such as the Wisconsin Lions Camp for the visually impaired, our eye glass program for the needy, vision screening for children, city park improvements and many more. But, what makes it possible to sustain our Lions Club's administrative costs, are the monies raised from the steak fries we host; and an integral part of that is the money from the sale of beer, wine and liquor.

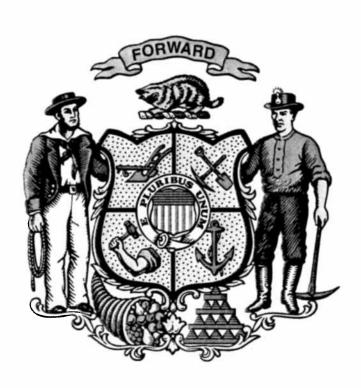
Finally, the events that nonprofit organizations hold do not compete with local taverns. People that attend nonprofit events that serve beer, wine and liquor attend the events to support the money raising efforts of the nonprofit organization.

Thank you for your consideration on this matter.

Sincerely yours,

James F. Heidt

James F. Heidt, Member Beloit Noon Lions Club



2009 SENATE BILL 537 HEARING

WEDNESDAY, MARCH 10, 2010

My name is Deb Frederiksen and I am the Executive Director of Visit Beloit. Beloit has seen a resurgence of energy and revitalization throughout the last ten years. The community has seen the quality of life and desirability of the area increase significantly. The increase is seen with visitors, employers and employees and satisfaction from the residents.

Beloit has worked through the years and continues to work on the image of the community that has evolved into an arts and entertainment district. The success of many of these events include the serving of beer and wine. These are social events, appropriate venues in which include restaurants, local businesses and various private venues.

These fundraising events help support the arts. These fundraising events help to support the economic vitality of the community. These fundraising events draw visitors. These fundraising events allow us to market the positive image of the community. These fundraising events make a difference to the success of Beloit.

This increase is for the most part through the hard work of the not for profit organizations including civic, educational, religious and fraternal organizations.

To carry out the mission of these organizations, requires the ability to fundraise.

The economy has given us additional challenges. Budget cuts abound and creativity is needed to make up for funding and grants that we have seen in the past. With these budget cuts, we are having to compete for dollars to fund organizations, to draw visitors, to create the quality of life that will draw employers which will in turn draw more residents which will increase the economic vitality of the community.

According to the Nonprofit Almanac 2008, nonprofits generate 8 percent of the gross domestic product (GDP) in the United States and employ one in every fourteen American workers. Nonprofits mobilize the efforts of an army: 61.2 million adults volunteering 12.9 billion hours each year toward community and public benefit-the equivalent of 7.6 million full-time staff.

Every action has a ripple effect.

To what benefit to add an additional strangle hold on organizations that struggle to exist and serve their missions in this economy?

To what benefit to remove the ability for community to move forward with their past success in establishing a destination that creates a draw to their arts and entertainment philosophy.

We are not asking for the ability to host events with amateur bartenders serving or to have every fraternity and sorority charging for a hamburger and then giving away free beer. We are not in danger of adding more drunken drivers to the roads and highways.

We are asking to allow for more than 2 events a year to hold fundraising events that serve beer and wine. We are asking to take away the limitations of communities and their organizations to raise funds to improve and continue to improve the economic and social climate of their own community.

We are asking that the number of not for profit events that wine be served at be removed. We understand and support the use of trained bartenders so that local ordinances and state laws are complied with. We do not support or understand what the benefit would be to limit not for profit organizations to only 2 events a year where wine may be served. Where will we go for that additional funding that those events provide? Will government provide the shortfalls?

I respectfully encourage you to look at the long term effects of this legislation and the ripple effect that it could cause and the additional financial burdens that local, state and federal governments may have to support.





SENATE BILL 537 HEARING

WEDNESDAY, MARCH 10, 2010

GREATER BELOIT CHAMBER OF COMMERCE - RANDALL UPTON, PRESIDENT

My name is Randall Upton. I am President of the Greater Beloit Chamber of Commerce, a non-profit 501(c)(6) corporation that is headquartered in Beloit. Our organization is comprised of over 360 businesses located in the State-line area which range in size and activity from large international manufacturing businesses, to service industries, to locally owned independent firms, to educational entities, and to not-for-profit bodies. Over 50 of our members are non-profit organizations

I am appearing here today to support legislation, Temporary License Bill SB-537, that would authorize municipalities to issue temporary Class "B" and "Class B" licenses to non-profit organizations so they can sell beer and wine, and provide beer and wine free of charge, at their fund-raising events that are held on premises where another business is conducted. The legislation would also limit the number of such licenses that could be given to a single organization in a year.

The legislation has no fiscal effect on the State of Wisconsin.

Our support of this legislation stems from the adverse impact that the current law is having on our efforts, and those of our non-profit members, to obtain Class "B" licenses to promote our fund-raising and member promotion programs. In particular, the current law is seriously curtailing our ability to promote member companies in our "Business After Hours" activities.

Current law prohibits, with certain exceptions, the issuance of a Class "B" License or permit for any premises where another business is conducted. In our case, and in the case of member non-profit organizations, this interpretation has resulted in fund raising activities having to be curtailed. This is having a consequential adverse impact on fund raising activities and adversely impacting efforts to promote economic development in our region, a region that is already suffering. At a time when businesses and organizations in the City of Beloit and Rock County are trying to become financially healthy in order to absorb some of the 7,000 dislocated workers from General Motors and auto industry-related company closings, it appears counterproductive to hurt our members' abilities to market themselves.

Under our Business After Hours program member businesses host events for the purpose of bringing attention to their products and services to the other members. In all instances the events are held between the hours of 5.00 p.m. and 7.00 p.m.

Because the events are after-hours, the host businesses frequently wish to offer beer and wine. As the organizing body, we in turn seek the temporary license to provide the beer and wine. Under current law, we will not be granted the requisite license.

Under current law, we or our non-profit members cannot host functions at an auto dealership, a bank, a manufacturing plant, or a retail store. We can't hold Business After Hours events at any business site that does not have banquet facilities which already hold alcohol beverage licenses. Other non-profits in Beloit, which in most instances are our members, cannot hold their own fund raising events which promote the arts, music and tourism.

The current law inhibits the ability of non-profit organizations to raise funds for the advancement of their core missions.

I would like to point out that providing beer and wine is not always a part of our Business After Hours program. In April we are holding a Business After Hours at the Eclipse Center in Beloit in conjunction with two charter schools and the Automotive Technical Center that is part of the Stateline Career and Education Academy. In this case, a conscious decision has been made NOT to serve beer and wine.

In terms of objections that may be raised to the legislation, I cannot see any that could possibly have substantive merit. Licensing would still be required in order to ensure that rules regarding the provision of alcoholic beverages are followed and that responsibility is taken by a non-profit organization for the event. Further, persons involved in the events from an organizing non-profit would be those who have been approved by the municipal authorities as having the requisite skills, background and training to oversee the serving of beer and wine at events. And finally, there would be no adverse economic impact on those businesses that serve alcoholic beverages under existing licenses. Rather, people who are attending fund raising events for a non-profit would be likely go to a licensed facility afterwards for a dinner or meal.

On behalf of the Greater Beloit Chamber of Commerce, we respectfully request that the Committee schedule a vote on Senate Bill 537 and that its enactment occur as soon as possible.





Serving the Lodging Industry for Over 100 Years March 10, 2010

To:

Senate Committee on Transportation, Tourism, Forestry, and

Natural Resources

Senator Jim Holperin, Chairman

From:

Trisha Pugal, CAE

President, CEO

RE:

SB 537 - Expansion of Temporary Class B Alcohol Beverage

Licenses

On behalf of over 900 lodging properties throughout Wisconsin, we would like to express our concerns in opposing certain components of SB 537.

First, the newly added **definition of "nonprofit organization"** allows both 501c3 (educational/charitable) and 501c6 (business associations) to be eligible for the also newly expanded temporary licenses. Our industry relies considerably on revenue from events held by associations in our banquet rooms, and other public spaces, plus we are required to ensure compliance with numerous regulations that protect the safety of the guests. The new definition would expand the service of alcohol beverages by volunteers not trained in such service, and at the same time would reduce revenue to our already struggling industry.

Second, the **expansion of eligible locations** to serve the alcohol beverages to include other business locations would also cost revenue losses to those in our industry that are in the profession of serving food and beverages within the safety requirements of state law.

Your consideration of our concerns is appreciated.

1025 S. Moorland Rd.
Suite 200
Brookfield, WI 53005
262/782-2851
Fax# 262/782-0550
WIA@wisconsinlodging.info







Testimony offered in support of amendments to 2009 SENATE BILL 537 relating to the issuance of temporary alcohol beverages licenses to nonprofit organizations authorizing the sale of beer or wine at fund—raising events.

By Ron Nief, Beloit community member, a founding producer of the Beloit International Film Festival, and Director of Public Affairs Emeritus of Beloit College

Building community spirit is a priority in Beloit. Citizens have worked tirelessly to establish Beloit's reputation as an arts and entertainment center, building around the Beloit Janesville Symphony Orchestra, the Beloit International Film Festival, Riverfest, a variety of museums, and events like the Spring Art Walk and the winter Holidazzle. These programs, organizations, and events and the ability to raise the money to support them are all threatened by the restrictions that are contained in existing regulations.

In recent years, an event that has celebrated Beloit internationally is the Beloit International Film Festival, known as BIFF. It draws thousands of people to the community and hundreds of filmmakers from all over the U.S and around the world—this year from six continents. The filmmakers come because of the welcome and intense interest exhibited by Beloit citizens. They come for the recognition given to their films and for the Emerging Film Artist Awards—financial support that they are given to assist them in the completion of their projects. This year, one of those projects, by a Rock County filmmaker, appeared at the prestigious Sundance Film Festival and Beloit, Wisconsin, went along in the credits.

BIFF is created with the support of local citizens, businesses, and organizations that sponsor the various events and put in the effort to create special programs, such as a dozen Cinema à la Carte dinners to raise the funds needed for the awards.

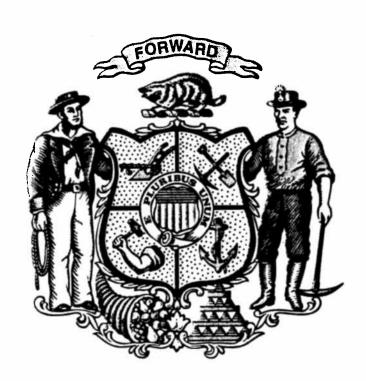
BIFF and Cinema à la Carte are threatened by a law that has placed so many restrictions on our events that fundraising and recognition has been made difficult if not impossible. For the past four years, our major sponsor, a leading member of the community, has celebrated her business involvement in the community by hosting the opening Film Festival Launch Party. This much anticipated event has always taken place at the corporate world headquarters that she and her late husband crafted from the ruins of an earlier industrial era, a symbol of Beloit's vitality and vision. This year, however, because of these restrictions, she was denied that opportunity and we were not able to celebrate this centerpiece of Beloit, or acknowledge our major donor, or show off this proud element of Beloit to our visitors.

The Cinema à la Carte dinners, which raise 7-15 percent of the BIFF budget annually and bring hundreds of individuals together to celebrate Beloit and the art of filmmaking, are threatened. Despite taking place in the homes and businesses of hosts for invited patrons, their continuity and the important resources they provide are challenged, all because we serve wine.

What is really threatened in these cases, and in others you are hearing about, is the spirit of our community. We want the right to serve wine at a series of events by hosts in their home or by trained servers in businesses. We want to continue to bring the community together in such a way that we continue to build that spirit, renew our connections, and advance the prospects for Beloit.

In order to do that, our not-for-profit programs--museums, festivals, arts organizations and facilities--need to raise money. Our community is ready and willing to give that support and expand these programs but, as you know, we need to provide attractive opportunities to tell our story and engage our donors, and we can not have a successful arts evening, dinner, reception, or welcome party, without offering wine and beer.

And in these difficult economic times, if we lose these audiences then we lose the organizations needing their support, and the driving spirit of our community dies.



Testimony offered in support of amendments to 2009 SENATE BILL 537 relating to the issuance of temporary alcohol beverages licenses to nonprofit organizations authorizing the sale of beer or wine at fund-raising events.

By Roddie H Beaudoin, co-founding producer of the Beloit International Film Festival, Executive Director of the Beloit International Film Festival and The Beloit Janesville Symphony Orchestra, and member of the Board of Directors for Beloit Riverfest.

Fundraising is critical to the survival of nonprofit organizations. The Beloit Janesville Symphony Orchestra has been the cornerstone of culture in Rock County for over half a century. But today we find ourselves in peril. Like many arts organizations the fight for the dollars to survive is extreme. Charitable giving is down in our part of the state partially attributed to the closing of the GM plant and the fact that Beloit has the highest unemployment rate in the state. The market and recent years in the red, despite significant budget cuts, have distressed an endowment that was once substantial.

Our board of directors is comprised of retired teachers, young professionals in the early stages of their careers, a printer, landscaper and few people of modest means, but all lions of creative energy and thought who are unified in their dedication to making Beloit, Janesville and the entire Stateline area a better place to live. In our fundraising endeavors we work diligently to offer our patrons unique experiences, our youth and their families educational opportunities; efforts that are worthy of an organization within a community dedicated to keeping the arts alive.

We respectfully ask the Senate to give us the tools that allow us to raise the funds necessary within our community to support our community. Due to recent interpretation of state law pertaining to temporary licenses we find our garden party, with performances by chamber groups from within the symphony are in peril. A glass of wine on a warm summer evening in a garden setting at a private home, meeting with old friends and making new friends in a unique and warm environment are not permitted. Our Octoberfest in the fall is in jeopardy as are other events hosted by businesses that offer us a unique and inviting environment but do not meet the criteria of the present law.

The dollars raised from these events help to keep the Symphony viable within our community. It supports employment of scores of area musicians and staff. These funds help to fuels our annual children's concert, library and grade school outreach programs to name a few. The economic impact of a symphony performance helps to fill area restaurants after performances. Our free ticket programs allow those less fortunate to experience the joys of the masters.

Nationally, Twenty percent of a Symphony Orchestra's budget is funded by ticket sales. Our percentage has been less the past two years. The balance of funding must come from grants, donations and fundraising. This year we cut our budget from approximately \$350,000 to \$285,000. Special event fundraising that is directly impacted by this bill can contribute up to Ten percent of our annual budget.

Those funds are dollars that we need. Yet we also want and need the spirit that these events bring to our citizens and patrons. Individual supporters allowed to showcase their home or businesses in helping to sustain an integral part of our regional culture is important to our Orchestra, city, county and state.

Testimony offered in support of amendments to 2009 SENATE BILL 537 relating to the issuance of temporary alcohol beverages licenses to nonprofit organizations authorizing the sale of beer or wine at fund-raising events.

By Roddie H Beaudoin, co-founding producer of the Beloit International Film Festival, Executive Director of the Beloit International Film Festival and The Beloit Janesville Symphony Orchestra, and member of the Board of Directors for Beloit Riverfest.

On behalf of Beloit Riverfest, a 23 year old community music festival held on the Rock River at Riverside Park in Beloit, we respectfully request that the present amendment include 501c4 non-profit corporations in its definitions of the same.



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(58 537) Date?

656 Pleasant St. ~ P.O. Box 816 ~ Beloit, WI 53511 T 608-362-9099 ~ F 608-362-2330 ~ www.angelmuseum.com



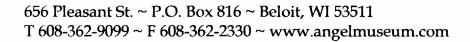
Hello my name is Ruth Carlson and I represent the Beloit Angel Museum, home of the world's largest angel collection and one of Beloit's most popular tourist attractions. Since we opened in 1998, over 190,000 visitors have come to Beloit to see this amazing collection located in an historic building. The museum operates on a very limited yearly budget of less than \$70,000 including salaries so as you can imagine, it is critical to our survival that we do fund-raising during the year to sustain day-to-day operations.

One of our major annual fundraisers, the Angel Museum Sip & Taste, generates approximately \$8000.00 which represents roughly 11% of our annual budget. This event is generously supported by many of our partners in the hospitality industry. In fact, last year we had over 20 different restaurants, caterers and beverage distributors involved in providing food and beverages for the event.

Due to the unique setup required for this event, there were very few venues in our area that can be identified as being suitable for hosting this type of event. Two years ago, a local car dealer offered us the use of his dealership. We accepted because it met our requirements for space and he generously offered the facility at no charge which helped us maximize our profits. Shortly after we were issued the license, we were advised future event locations where "other business is being conducted" would be denied a Class B temporary license by the municipality and future events serving alcohol would need to be held at a licensed location. As you can imagine this has highly impacted our potential income on our fund raisers.

My concerns renting a licensed establishment for future events are as follows:

- 1. The event is a community/business focused affair which gives the community a unique event to attend at a reasonable price, highlights local business and raises funds for the museum.
- 2. Renting a licensed establishment large enough to hold our event would be cost prohibitive and limit the profits from the event.
- 3. Identifying an appropriate venue that would allow competitors to bring in food and beverages also limits the space requirements as well as potential profits for the event. Because so many of our restaurants participate, a neutral venue is important.





- 4. A private venue (be it residential, commercial or otherwise) that offers the use of their space for a non-profit fundraising event is not profiting from the sale of beer and wine in a manner that competes with other Class A or Class B license holders. The host facility is simply helping to raise funds for a non-profit organization. Senate Bill 537 would allow us to pursue new options, without costing the state or the tax payers any money.
- 5. Our ability to raise funds is already hampered by the economic challenges facing Beloit and Rock County. The future of our organization and many others depends on the generosity of our community members and our community partners.

Finally, I would like to mention that the 20 plus private businesses, including restaurants, taverns and caterers that participated in this event did not view a non-profit fundraiser held in a non-traditional location as a form of competition to their establishments. On the contrary, they recognized it as an opportunity to introduce their products and businesses to hundreds of potential customers.

By hosting the Angel Museum Sip & Taste in a location where "other business is conducted", we are not competing with local licensed businesses; we are contributing to their success by providing them with opportunities and a venue to meet potentially new customers which benefits everyone.

Thank you for the opportunity to provide this testimony and for your consideration of this important bill.





State of Misconsin 2009 – 2010 LEGISLATURE

LRB-3851/1 ARG:kjf&cjs:jf

2009 SENATE BILL 537

February 16, 2010 – Introduced by Senators Robson, Taylor and Grothman, cosponsored by Representatives Benedict, Sinicki, A. Williams and Gottlieb. Referred to Committee on Transportation, Tourism, Forestry, and Natural Resources.

AN ACT *to amend* 125.26 (6) and 125.51 (10); and *to create* 125.02 (11m) and 125.32 (3m) (h) of the statutes; **relating to:** the issuance of temporary alcohol beverages licenses to nonprofit organizations authorizing the sale of beer or wine at fund-raising events.

Analysis by the Legislative Reference Bureau

Current law authorizes municipalities to issue temporary Class "B" and "Class B" licenses to certain clubs, fair associations, agricultural societies, churches, veterans organizations, lodges, and societies that authorize the retail sale of, respectively, fermented malt beverages (beer) and wine at fairs, meetings, picnics, and similar gatherings hosted by these organizations. A municipality may not issue to one of these organizations more than two temporary "Class B" licenses in any 12-month period.

This bill authorizes municipalities to issue temporary Class "B" and "Class B" licenses to nonprofit organizations authorizing the sale of, respectively, beer and wine at fund–raising events. For purposes of the bill, a nonprofit organization is an organization described in certain provisions of the Internal Revenue Code as exempt from federal income tax. The bill also increases, from two to five, the number of temporary "Class B" licenses that a municipality may issue to an eligible applicant in any 12–month period.

Current law also prohibits, with certain exceptions, the issuance of a Class "B" license or permit for any premises where another business is conducted.

